General Assembly

Substitute Bill No. 6286

_____HB06286JUD___040309_____

AN ACT SHIELDING FIRE DEPARTMENTS THAT INSTALL SMOKE AND CARBON MONOXIDE DETECTORS FROM LIABILITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1   Section 1. (NEW) (*Effective October 1, 2009*) (a) For the purposes of
2   this section "fire department" includes any municipal fire department,
3   independent fire department, fire district, independent fire company,
4   volunteer fire department and any member thereof; "device" includes
5   any battery-operated or plug-in smoke detector, carbon monoxide
6   detector, or combination smoke and carbon monoxide detector; and
7   "installation" does not include the alteration or installation of electrical
8   wiring.

9   (b) A fire department that delivers to, or installs at, residential
10   premises a device or batteries for such a device shall not be liable
11   for civil damages for personal injury, wrongful death, property
12   damage or other loss, provided (1) such installation was done in
13   accordance with the manufacturer's instructions, and (2) such
14   installation or delivery was in such department's official capacity.

15   (c) Any device delivered or installed pursuant to subsection (b) of
16   this section shall be new and shall meet all applicable current safety
17   and manufacturing standards.

18   (d) Any fire department that delivers or installs a device in

19 accordance with this section shall keep records documenting every
20 such delivery or installation for not less than five years after such
21 delivery or installation.

22   (e) Nothing in this section shall be construed to limit or otherwise
23 affect the obligations and duties of the owner or occupier of the
24 residential premises receiving such delivery or installation services.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*October 1, 2009*	New section

PS   *Joint Favorable Subst. C/R*   JUD

JUD   *Joint Favorable*